

Appl. No. 10/720,557
Docket No. 9130M
Amdt. dated August 17, 2009
Reply to Office Action mailed on January 16, 2009
Customer No. 27752

REMARKS

Claim Status

Claims 1-16 and 24-29 are pending in the present application.

Claims 1 and 8 have been amended based on, *inter alia*, the specification at page 9, lines 24-30.

Rejection Under 35 U.S.C. §112, First Paragraph

Claims 2, 9 and 14 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Office Action asserts that there is no support in the specification or drawings for a secondary topsheet that is disposed between the disclosed topsheet and core. Applicants respectfully traverse this rejection. Applicants respectfully point out that FIG. 2 clearly shows a secondary topsheet 27 disposed between a topsheet 26 and absorbent core 24. Applicants thus submit that Claims 2, 9 and 14 comply with 35 U.S.C. § 112, first paragraph.

Rejection Under 35 U.S.C. §102 Over Mizutani

Claims 1-6, 8-12 and 24-28 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Mizutani (EP 1,022,008 A2). Applicants respectfully traverse this rejection.

Mizutani discloses an apertured topsheet divided into a central zone and a second zone outward of the central zone. The two zones of the topsheet of Mizutani are made of different materials, in particular the central zone is comprised of a thermoplastic film and the second zone is comprised of a thermoplastic nonwoven fabric (*see, e.g.*, col. 6, lines 8-9 and the Figures of Mizutani). The different materials are sealed along compressed grooves to form the topsheet of Mizutani.

Claims 1 and 8 have been amended to specify that the facing layer is comprised of a fibrous nonwoven web and the first and second regions of the facing layer are both disposed in the same fibrous nonwoven web. Mizutani does not disclose or suggest a topsheet having two zones disposed in the same fibrous nonwoven web of material.

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Claim 13 has been amended to specify that the individual rib-like elements have a length of between 1% and 20% of the length of the sanitary napkin. Mizutani does not disclose or suggest such rib-like elements. At most, Mizutani discloses rib-like elements that extend continuously across the entire length of the sanitary napkin.

In view of the discussion above, Applicants respectfully submit that Claims 1-6, 8-12 and 24-28 are not anticipated and are patentable under 35 U.S.C. § 102(b) over Mizutani.

Rejection Under 35 U.S.C. §103(a) Over Mizutani

Claims 13-16 and 28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mizutani. Applicants respectfully traverse this rejection.

Based on the discussion above, Applicants submit that Claims 13-16 and 28 are similarly not taught or suggested by Mizutani. Therefore, Applicants submit that Claims 13-16 and 28 are unobvious and patentable under 35 U.S.C. § 103(a) over Mizutani.

Rejection Under 35 U.S.C. §103(a) Over Mizutani in view of Ohashi et al.

Claims 13-16 and 28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mizutani in view of Ohashi et al. (US 2002/0065498 A1). Applicants respectfully traverse this rejection. Applicants submit that Ohashi et al. does not remedy the deficiencies of Mizutani with respect to the presently claimed invention. Applicants thus submit that Claims 13-16 and 28 are unobvious and patentable under 35 U.S.C. § 103(a) over Mizutani in view of Ohashi et al.

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Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied reference. In view of the foregoing, entry of the amendments presented herein, reconsideration of this application, and allowance of the pending claims are respectfully requested.

Respectfully submitted,

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